# CODE ENFORCEMENT BOARD 1st FLOOR COMMISSION CHAMBER FORT LAUDERDALE CITY HALL 100 NORTH ANDREWS AVENUE NOVEMBER 26, 2013 9:00 A.M.

# Cumulative attendance 2/2013 through 1/2014

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Board Members	<u> Attendance</u>	<u>Present</u>	<u>Absent</u>
Howard Nelson, Chair	P	8	2
Howard Elfman, Vice Chair	Р	10	0
Paul Dooley	Α	9	1
Genia Ellis	Р	10	0
Joan Hinton	Р	8	2
Jan Sheppard	Р	8	2
Chad Thilborger	Р	10	0
PJ Espinal [Alternate]	Α	2	8
Joshua Miron [Alternate]	Α	2	8
Robert Smith [Alternate]	Α	6	4

#### **Staff Present**

Bruce Jolly, Board Attorney

Carrie Sarver, Assistant City Attorney

Jenny Morejon, Deputy Director, Department of Sustainable Development

Yvette Ketor, Secretary, Code Enforcement Board

Lori Grossfeld, Clerk III

Jeri Pryor, Code Enforcement Supervisor/Clerk

Shani Allman, Clerk III

Robert Masula, Building Inspector

George Oliva, Building Inspector

Peggy Burks, Clerk III

Dominica McCarthy, Clerk III

Gerry Smilen, Building Inspector

Jamie Opperlee, Prototype Inc., Recording Secretary

#### **Communication to the City Commission**

None.

#### Respondents and Witnesses

CE12090938: Rafael Sopher, owner; Ivery Wilson, owner's representative

CE13020125: Courtney Crush, attorney

CE11072308: Michael Madfis, architect

CE12121194: Yoav Peretz, agent

CE12051126: Michael Lucente, owner's representative

CE13032133: William Evelyn, owner; Tiffany Diaz, owner

CE13051956: Robert Yanofsky, owner

CE13041345: Brian Carr, agent

CE12111407: Robert Lehane, owner

CE11070414: Leonard Faras, supervisor

CE11092259: Jacinda Harris, owner

CE13020243: Joel Pierce, agent

CE13091180: Braxton McClains, owner's brother-in-law; Audrey Jones, owner's

granddaughter

CE13070910: Thomas Ackel, owner

CE11031789: Audrey Pamela Burgher, owner

CE12020630: Charles Falcone, owner

CE13061150: Gary Ansley, contractor

CE10071981: Patrick Louis-Jean, owner

CE11052482: Jacob Horowitz, attorney

CE13010761: Tracy Berkman, attorney

CE13041477: Jaime Trujillo, owner

CE13101127: Robert Sherman, owner

CE13100920: Daniel Galapo, registered agent; Chad Hodder, general contractor

CE13030717: Michael Jerry, owner

CE13101564: Luis Rego, contractor

CE12020746: Jeffrey Guidish, tenant

CE13091496: Anthony Soroka, attorney

CE13061905: Sotirios Campos, agent

CE04061463: Gopal Motwani, owner

CE12050435: Leonard Farias, supervisor; Carlos Navarro, engineer

CE09040018: Eva Kearse, owner

CE13031021: Ronald Reed, owner

CE13031575: Peter Pedelty, owner

Chair Nelson called the meeting to order at 9:03 a.m., introduced Board members and explained the procedures for the hearing.

Individuals wishing to speak on any of the cases on today's agenda were sworn in.

Case: CE12051126
327 Southwest 20 Street
TOSSIO, TEDDY

This case was first heard on 5/28/13 to comply by 7/23/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported only the air conditioning violation remained and there was no record of a permit application.

Michael Lucente, the owner's representative, stated the air conditioner condensing unit had been stolen and they had replaced it without a permit. He stated many contractors did not want to deal with this type of situation but he had found one who would look at it and was working on it. He hoped the work would be done in 63 days.

Inspector Smilen confirmed that the air conditioner was the only outstanding violation.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 6-0:

Case: CE11072308
300 Southwest 12 Street
CERTAIN PROPERTIES LLC

This case was first heard on 9/24/13 to comply by 11/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Service was via posting on the property on 11/15/13 and at City Hall on 11/14/13.

Robert Masula, Building Inspector, reported the permit for work already done was still on hold for expired contractor registration. The change of use permit application had not yet been submitted.

Michael Madfis, the owners' representative, said they had applied to the DRC over a year ago but when the owner applied for the permit, he had found it did not cover the change of use. During construction, the contractor's insurance had expired and inspections were halted. Mr. Madfis requested a two-month extension.

**Motion** made by Ms. Ellis, seconded by Mr. Elfman, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE09040018

3220 Northwest 63 Street KEARSE, EVE

This case was first heard on 3/23/10 to comply by 8/24/10. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, reported there had been no activity since the last hearing and he did not support any additional extension.

Eve Kearse, owner, thanked the Board for their patience, and announced the house was going back to the bank.

The Board took no action.

Case: CE12020746

2743 E Oakland Park Boulevard BETH-ERIC LLC

This case was first heard on 9/24/13 to comply by 11/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 11/14/13.

Robert Masula, Building Inspector, reported the plumbing permit was active but corrections were needed to pass inspection. The air conditioner permit application should be submitted within 30 days. He recommended an extension.

Jeffrey Guidish, tenant, stated he had spoken with the property owner and would remind him of the urgency of the situation. He felt the work could be done within 63 days.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE13031021 3425 Davie Blvd REED, RONALD C

This case was first heard on 6/25/13 to comply by 7/23/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 11/14/13.

George Oliva, Building Inspector, reported there had been no progress since July and the electrical permit had expired. He did not recommend an extension.

Ronald Reed, owner, said he was having difficulty getting the mechanical approved and he feared he would need to start over. He requested a recommendation for an engineer. Mr. Reed thought he could not continue with any work because a Stop Work Order had been issued.

Inspector Oliva confirmed that a Stop Work Order had been posted on the property but since there was an electrical permit, that work could be done. He said the building was deemed unsafe because the work had been done without permits. He confirmed the building was not occupied.

Mr. Reed said his contractor also believed he could not continue work after the Stop Work Order had been issued. He requested an extension.

**Motion** made by Ms. Sheppard, seconded by Ms. Hinton, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion failed 2-4 with Ms. Ellis, Mr. Elfman, Mr. Thilborger and Chair Nelson opposed.

**Motion** made by Ms. Hinton to grant a 119-day extension to 3/25/14, during which time no fines would accrue. Motion died for lack of a second.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 11/27/13 and would continue to accrue until the violations were corrected. In a roll call vote, motion passed 5-1 with Ms. Sheppard opposed.

Case: CE12111407 641 Northeast 15 Avenue LEHANE, ROBERT A

This case was first heard on 6/25/13 to comply by 8/27/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Service was via posting on the property on 11/12/13 and at City Hall on 11/14/13.

Gerry Smilen, Building Inspector, reported there had been no activity and recommended imposition of the fines.

Robert Lehane, owner, said the documents had been submitted the previous day. Inspector Smilen confirmed on the computer that corrections had been submitted on 11/25/13.

**Motion** made by Ms. Sheppard, seconded by Mr. Thilborger, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE13020243 808 Southwest 2 Street JANZAN, RUSSEL A S

This case was first heard on 8/27/13 to comply by 9/24/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 11/13/13.

Gerry Smilen, Building Inspector, reported only one of the sheds had been removed; the other must also be removed or permitted.

Joel Pierce, agent, said he was ready to move forward and needed to provide his plans to the Historic Preservation Board.

**Motion** made by Ms. Sheppard, seconded by Ms. Hinton, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 5-1 with Chair Nelson opposed.

# Case: CE12090938

207 Northwest 7 Avenue SOPHER INVESTMENTS INC

This case was first heard on 5/28/13 to comply by 7/23/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported the all violations except 105.1 #2 regarding the parking are were complied. He recommended a 63-day extension.

Ivery Wilson, the owner's representative, did not feel 60 days was sufficient. He said the owner was unaware of the issues when he purchased the property. He requested 120 days. Mr. Wilson confirmed that the property was currently empty and would not be used until the violations were complied.

**Motion** made by Ms. Sheppard, seconded by Ms. Hinton, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 5-1 with Chair Nelson opposed.

Case: CE11052482 1640 Northwest 5 Avenue

HAYEK, ELLIS

This case was first heard on 6/25/13 to comply by 8/27/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Service was via posting on the property on 11/12/13 and at City Hall on 11/14/13.

Gerry Smilen, Building Inspector, said there was nothing to report.

Jacob Horowitz, attorney, said his law firm had been hired the previous week and requested an extension to investigate options. He stated he believed there was a tenant on the side of the property on which there were no violations.

Chair Nelson was concerned because part of the building was occupied and there were electrical issues.

**Motion** made by Chair Nelson, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 11/27/13 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 6-0.

Case: CE12050435
3121 Southwest 16 Court
SFRH SF RENTAL LP

This case was first heard on 9/24/13 to comply by 11/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 11/13/13.

George Oliva, Building Inspector, said there had been no effort to comply and a tenant had moved in. He stated the property was unsafe because of the electrical work done without a permit. He displayed photos of the property taken the previous week showing a family occupying the property. He recommended no extension.

Leonard Farias, supervisor, stated they had needed to hire a new engineer. They had the permit application and the plans were almost complete. He said the tenants had occupied the property for six months.

Inspector Oliva said the former tenant had moved out because of the illegal work. The property had been unoccupied in October. Mr. Farias said they had moved the family to a hotel in October but moved them back in because it had been too expensive.

**Motion** made by Mr. Thilborger, seconded by Ms. Sheppard, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 11/27/13 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 5-1 with Mr. Elfman opposed.

Case: CE13041345 609 Southwest 6 Avenue

KLASSEN, JAMES R & CATHERINE J

This case was first heard on 9/24/13 to comply by 11/26/13. Violations were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported one violation remained: the fence permit. He explained that both owners had passed away, complicating the permit process.

Brian Carr, agent, stated the owners had died since the last hearing and the house was now in probate.

**Motion** made by Ms. Sheppard, seconded by Mr. Thilborger, to grant a 147-day extension to 4/22/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE12020630

1333 Northeast 2 Avenue FALCONE, CHARLES H/E FALCONE, JOSEPHINE EST

This case was first heard on 11/27/12 to comply by 3/26/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 11/15/13.

George Oliva, Building Inspector, displayed an aerial photo of the property and reported the window and door violations were complied; only the shed violation remained. He stated the shed was too large to be permitted and the owner intended to apply for a variance.

Charles Falcone, owner, said his contractor had spoken to Mohammed Malik, Director of Zoning, regarding a variance.

**Motion** made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE13061150 1404 Northwest 3 Avenue VILLA, ROBERT

This case was first heard on 9/24/13 to comply by 10/22/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Service was via posting on the property on 11/13/13 and at City Hall on 11/14/13.

George Oliva, Building Inspector, reported there had been no effort regarding the permit for work already done.

Gary Ansley, contractor, stated he had received plans from the architect and had reviewed them with subcontractors. He was in the process of getting permit applications together to submit.

**Motion** made by Ms. Sheppard, seconded by Ms. Hinton, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE11092259
751 Alabama Avenue
WHYTE, LORNA B &
HARRIS, JACINDA

This case was first heard on 4/23/13 to comply by 6/25/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Service was via posting on the property on 11/13/13 and at City Hall on 11/14/13.

George Oliva, Building Inspector, reported the window permit had failed review because shutters were required to accompany the window permit.

Jacinda Harris, owner, said they had owned the house since 1986. She stated they were in the process of pulling the permit. The shutter permit had been submitted but there was an error on the documents and her mother needed to visit the City to discuss what was needed.

Inspector Oliva said no shutter permit application had been submitted. Ms. Pryor confirmed that there had been a permit for the windows, but there was no permit application for the shutters.

**Motion** made by Ms. Ellis, seconded by Ms. Hinton, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 5-1 with Ms. Sheppard opposed.

Case: CE12121194
318 Southwest 23 Street
ALBO INVESTMENTS LLC

This case was first heard on 9/24/13 to comply by 11/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 11/13/13.

Gerry Smilen, Building Inspector, reported the permit application addressing the violations had been submitted on 11/22/13. He recommended a 63-day extension.

Yoav Peretz, agent, agreed to the extension.

**Motion** made by Ms. Sheppard, seconded by Ms. Ellis, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE04061463 3081 Harbor Drive RAJ HOTELS LLC

This case was first heard on 1/26/10 to comply by 3/12/10. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported the paperwork had been resubmitted and recommended a 91-day extension.

Gopal Motwani, owner, agreed to the extension.

**Motion** made by Ms. Sheppard, seconded by Ms. Hinton, to grant a 91-day extension, to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

The Board took a brief break.

Case: CE13091180

833 Northwest 19 Avenue BROWN, J M & SILLIE MAE EST

Service was via posting on the property on 11/14/13 and at City Hall on 11/14/13.

Robert Masula, Building Inspector, testified to the following violations: FBC(2010) 105.1

- 1. WINDOWS AND DOORS ARE BEING REPLACED.
- 2. A/C UNIT WAS REPLACED.
- 3. ELECTRICAL WORK DONE. DISCONNECTED BOX TO THE A/C.
- 4. PLUMBING WORK DONE. A DRAIN LINE WAS EXPOSED ON THE NORTH SIDE OF THE HOUSE DRAINING ONTO THE GROUND.

FBC(2010) 105.4.4

PLUMBING INSTALLED AND EXPOSED ON NORTH SIDE OF HOUSE AND DRAINING ONTO THE GROUND WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 105.4.5

ELECTRICAL WORK INSTALLED, DISCONNECT TO A/C WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 105.4.15

WINDOWS AND DOORS INSTALLED WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$20 per day, per violation.

Braxton McClains, representing the deceased owners, stated he had done the work himself without permits. He said the house was in probate and the title was being transferred into the granddaughter's name so they would be able to pull permits. He requested time to accomplish this.

Audrey Jones, the owners' granddaughter, said the probate process had just begun.

**Motion** made by Mr. Thilborger, seconded by Mr. Elfman, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 119 days, by 3/25/14 or a fine of \$20 per day, per violation would begin to accrue and to record the order. In a roll call vote, motion failed 2-4 with Ms. Ellis, Mr. Thilborger, Ms. Hinton and Chair Nelson opposed.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance

within 119 days, by 3/25/14 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13101127

2100 Northeast 44 Street
RESIDENTIAL POINTE CAPITAL LLC

Certified mail sent to the owner was accepted on 11/7/13.

Robert Masula, Building Inspector, testified to the following violations: FBC(2010) 105.1

- 1. DEMOLITION OF KITCHEN, BATHROOM, INTERIOR WALLS AND EXTERIOR WALLS.
- 2. THE WINDOW AND DOOR OPENINGS HAVE BEEN MODIFIED. SOME HAVE BEEN ENLARGED AND SOME HAVE BEEN BLOCKED UP AND CLOSED. THIS INCLUDES FILLED CELLS, COLUMNS AND CBS BLOCK.
- 3. THERE IS NEW METAL FRAMING FOR THE MASTER BATHROOM WALLS.
- 4. THERE IS NEW PLUMBING BEING INSTALLED IN THE SLAB THAT HAS BEEN COVERED AND NEW PLUMBING SUPPLY LINES AND DRAIN LINES IN THE WALLS.
- 5. THERE IS NEW ELECTRICAL BEING INSTALLED.

FBC(2010) 105.4.4

THERE IS NEW PLUMBING BEING INSTALLED IN THE SLAB THAT HAS BEEN COVERED AND NEW PLUMBING SUPPLY LINES AND DRAIN LINES IN THE WALLS.

FBC(2010) 105.4.5

THERE IS NEW ELECTRICAL BEING INSTALLED WITHOUT THE REQUIRED PERMITS OR INSPECTIONS.

FBC(2010) 1604.1

THE WINDOW AND DOOR OPENINGS HAVE BEEN MODIFIED. SOME HAVE BEEN ENLARGED AND SOME HAVE BEEN BLOCKED UP AND CLOSED. THIS INCLUDES FILLED CELLS, COLUMNS AND CBS BLOCK.

Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and reported a Stop Work Order had been posted on the property. He recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

Robert Sherman, owner, said a worker had begun work without his approval. He said plans that would address all of the violations had been submitted to the City the previous day.

Inspector Masula confirmed that a Police Officer had visited the property and found the Stop Work Order had not been violated.

**Motion** made by Mr. Elfman, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$50 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE11070414
711 Carolina Avenue
SFRH SF RENTAL LP

Certified mail sent to the owner was accepted on 11/5/13.

George Oliva, Building Inspector, testified to the following violations: FBC(2007) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS, INSPECTIONS AND THE CERTIFICATE OF OCCUPANCY FROM THE CITY BUILDING DEPARTMENT:

1. THE CARPORT HAS BEEN ENCLOSED AND CONVERTED INTO A RENTAL APARTMENT.

FBC(2007) 105.4.4

THE PLUMBING SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. PLUMBING ALTERATIONS WERE DONE TO BUILD THE NEW KITCHEN AREA INSIDE THE ENCLOSED CARPORT WITH NEW DRAINAGE PIPES AND WATER LINES INSTALLED TO THE NEW SINK.

FBC(2007) 105.4.5

THE ELECTRICAL SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. ALTERATIONS WERE DONE TO THE ELECTRICAL SYSTEM TO BUILD THE RENTAL APARTMENT WITH NEW CIRCUITS FOR THE WINDOWS A/C, THE LIGHTS, THE WALL OUTLETS AND THE 220V POWER SUPPLY TO THE NEW KITCHEN AREA. IN ADDITION THE 220V SUPPLY RUN TO ENERGIZE THE CENTRAL A/C INSIDE THE MAIN HOUSE. BY THIS ACTION THE OWNER IS INCREASING THE AMPERAGE LOAD IN THE MAIN ELECTRICAL PANEL OVER THE TOTAL AMPS LOAD RATING THAT WAS PERMITTED. IT HAS BECOME AN ELECTRICAL FIRE HAZARD.

FBC(2007) 105.4.11

THE MECHANICAL SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. INSTALLING A CENTRAL A/C WITH DUCTS AND A 7.5 KW ELECTRICAL HEATER WITH A PERMIT #06090820 THAT WAS LEFT TO EXPIRE AND IS NOW WORK WITHOUT PERMIT.

FBC(2007) 109.10

THE WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS THROUGH THE PERMITTING AND INSPECTION PROCESS.

FBC(2007) 110.1.1

THE USE AND THE OCCUPANCY OF THE BUILDING HAS BEEN CHANGED FROM THE ORIGINALLY PERMITTED OCCUPANCY CLASSIFICATION OF A SINGLE FAMILY TO A MULTI-FAMILY WITHOUT OBTAINING THE REQUIRED CERTIFICATE OF OCCUPANCY AND PERMITS.

Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$25 per day, per violation.

**Motion** made by Mr. Thilborger, seconded by Mr. Elfman, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13070910 1108 Guava Isle ACKEL, THOMAS S

Service was via posting on the property on 11/4/13 and at City Hall on 11/14/13.

Gerry Smilen, Building Inspector, testified to the following violation: FBC(2010) 105.1

THE SINGLE FAMILY DWELLING HAS BEEN ALTERED WITH THE COMPLETION OF A WOOD TRELLIS PERGOLA WITHOUT A PERMIT.

Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day.

Thomas Ackel, owner, said the violations were discovered during a potential sale and the contract had been voided.

**Motion** made by Mr. Elfman, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13030717 2412 Cat Cay Ln JERRY, JOLIE C JERRY. MICHAEL V

Certified mail sent to the owner was accepted on 11/6/13.

George Oliva, Building Inspector, testified to the following violations: FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS AND INSPECTIONS:

- 1. THE KITCHEN AND BATHROOMS HAVE BEEN REMODELED.
- 2. TWO NEW CENTRAL A/C SPLIT SYSTEMS TYPE WERE INSTALLED.
- THE WINDOW ON THE BATHROOM FACING NORTH AND THREE WINDOWS FACING EAST IN THE FLORIDA ROOM WERE REPLACED.

FBC(2010) 105.4.4

THE PLUMBING SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. PLUMBING ALTERATIONS WERE DONE TO REMODEL THE KITCHEN AND BATHROOMS WITH NEW WASTE AND HOT AND COLD WATER PIPES THAT WERE HOOKED-UP TO THE NEW PLUMBING FIXTURES.

FBC(2010) 105.4.5

THE ELECTRICAL SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. ALTERATIONS WERE DONE TO THE ELECTRICAL SYSTEM TO HAVE THE INTERIOR REMODELED WITH NEW CIRCUITS FOR THE CENTRAL A/C UNITS. LIGHTS AND WALL OUTLETS WERE UP-GRADED OR REPLACED. BY THIS ACTION THE OWNER IS INCREASING THE AMPERAGE LOAD IN THE MAIN ELECTRICAL PANEL OVER THE TOTAL AMPS LOAD

RATING THAT WAS PERMITTED. IT HAS BECOME AN ELECTRICAL FIRE HAZARD.

FBC(2010) 105.4.11

THE MECHANICAL SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO: 1. THE OWNER HAS INSTALLED TWO CENTRAL A/C WITH DUCT WORK AND ELECTRICAL HEATERS.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva said the case had begun pursuant to a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and stated the owner had applied for permits in August but after the plans were picked up for revisions they had never been returned. The tenant had called the City because he was concerned for his family's safety. Inspector Oliva said the owner had hired a new contractor and recommended ordering compliance within 63 days or a fine of \$25 per day, per violation.

Michael Jerry, owner, confirmed there were tenants in the property.

**Motion** made by Mr. Elfman, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13101564
2541 Northeast 22 Terrace
AG GROUP MIAMI LLC

Certified mail sent to the owner was accepted on 11/7/13.

Robert Masula, Building Inspector, testified to the following violations: FBC(2010) 105.1

NEW WOOD FENCES WERE INSTALLED ON BOTH SIDES OF THE PROPERTY WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 105.4.18

NEW WOOD FENCES WERE INSTALLED ON BOTH SIDES OF THE PROPERTY WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$25 per day, per violation.

Luis Rego, contractor, reported there had been a squatter in the home when this owner purchased it and he had erected the fence as soon as possible to deter any further problems. Mr. Rego said the permit application had been submitted the previous day.

**Motion** made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13100920

2115 Northeast 37 Drive # 133 HEIT REAL ESTATE LLC

Certified mail sent to the owner was accepted on 11/7/13.

Robert Masula, Building Inspector, testified to the following violations: FBC(2010) 105.1

FULL KITCHEN WAS REMODELED AND TWO BATHROOMS ARE BEING REMODELED WITHOUT THE REQUIRED PERMITS OR INSPECTIONS. WORK INCLUDES STRUCTURAL, FRAMING, DRYWALL, SLAB REPAIR, ELECTRICAL, PLUMBING AND MECHANICAL.

FBC(2010) 105.4.4

PLUMBING:

- 1. KITCHEN REMODELING: THE SINK HAS BEEN RELOCATED. REMOVED AND REPLACED PLUMBING FIXTURES IN THE KITCHEN.
- 2. REAR BATHROOM: REMOVED AND REPLACED TOILET AND VANITY.
- 3. FRONT BATHROOM: CHIPPED OPEN SLAB TO RELOCATE THE TOILET AND THE BATHTUB DRAIN. REMOVED AND REPLACING ALL FIXTURES IN FRONT BATHROOM AND NEW PLUMBING INSTALLED IN THE WALLS.

FBC(2010) 105.4.5

**ELECTRICAL:** 

1. THERE ARE ELECTRICAL OUTLETS, LIGHTING AND WIRING THAT HAVE BEEN PERFORMED IN THE KITCHEN AND THE BATHROOMS WITHOUT THE REQUIRED PERMIT OR INSPECTIONS. THERE ARE ALSO TWO ELECTRICAL CONDUITS THAT ARE UNDER THE SLAB IN THE FRONT BATHROOM.

THESE TWO CONDUITS WERE DAMAGED AND HAVE AFFECTED A CONDO UNIT ON THE SECOND FLOOR AND THE COMMON AREA LIGHTING FOR THE BUILDING. THIS WILL REQUIRE A SEPARATE ELECTRICAL PERMIT TO MAKE THIS NEEDED ELECTRICAL REPAIR ASAP.

FBC(2010) 105.4.11

**MECHANICAL:** 

1. TWO BATHROOMS WILL REQUIRE EXHAUST FANS. NEW DUCT WORK WAS ADDED IN THE FRONT BEDROOM.

Inspector Masula stated a Stop work Order had been posted on the property after an unlicensed contractor had hit an electrical line and been arrested. Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$250 per day, per violation.

Chad Hodder, contractor, stated the owner lived in New Jersey and had made a mistake. Mr. Hodder said a contractor had drawn plans for the work and he would submit the application to the City later in the day.

Daniel Galapo, registered agent, confirmed no work would continue until after the permits were pulled.

**Motion** made by Mr. Elfman, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$250 per day, per violation would begin to accrue and to record the order. In a voice vote, motion failed 0-6.

**Motion** made by Mr. Elfman, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$100 per day, per violation would begin to accrue and to record the order. In a voice vote, motion failed 0-6.

**Motion** made by Ms. Sheppard to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 91 days, by 2/25/14 or a fine of \$250 per day, per violation would begin to accrue and to record the order. Motion died for lack of a second.

**Motion** made by Ms. Ellis, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 91 days, by 2/25/14 or a fine of \$50 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 5-1 with Chair Nelson opposed.

Case: CE13051956 601 N Rio Vista Blvd YANOFSKY FAMILY LP

Certified mail sent to the owner was accepted on 11/7/13.

Gerry Smilen, Building Inspector, testified to the following violations: FBC(2010) 105.1

THE MULTI-FAMILY APARTMENT BUILDING HAS BEEN ALTERED BY ADDING ADDITIONAL PARKING SPACES WITHOUT A PERMIT.

FBC-P 302.1

SEWER CLEAN OUTS ARE OPEN TO STORM WATER AND OTHER MATERIALS CAPABLE OF OBSTRUCTING THE SANITARY SYSTEM.

Complied:

FBC(2010) 105.4.11

Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$20 per day, per violation.

Robert Yanofsky, owner, presented photos showing the drains had been covered. He said they had sufficient parking for tenants without these additional spaces. Mr. Yanofsky said air conditioners for all 10 units had been permitted.

Inspector Smilen confirmed that the air conditioning violation was complied with the permit.

**Motion** made by Ms. Sheppard, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$5 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13041477
1730 Northeast 18 Street
HOFFMAN, ANDREW M
TRUJILLO, JAMIE JR

Certified mail sent to the owner was accepted on 11/8/13.

Gerry Smilen, Building Inspector, testified to the following violation: FBC(2010) 105.1

THE SINGLE FAMILY DWELLING HAS BEEN ALTERED WITH:

- 1. THE INSTALLATION OF NEW DOORS.
- 2. THE INSTALLATION OF A WOOD FENCE (COMPLIED). BOTH WITHOUT PERMITS.

Inspector Smilen stated the case was begun pursuant to a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day.

Jaime Trujillo, owner, said he needed to re-apply for the permit.

**Motion** made by Mr. Thilborger, seconded by Ms. Sheppard, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

<u>Case: CE13091496</u> 2900 Northeast 30 Street LAUDERDALE TOWER CONDO ASSN INC

Certified mail sent to the owner was accepted on 11/7/13.

Robert Masula, Building Inspector, testified to the following violation: FBC(2010) 105.1

TWO HANDICAP PARKING SPACE SIGNS HAVE BEEN REMOVED. THE LINES FOR THE HANDICAP SPOTS HAVE BEEN PAINTED OVER AND NOW THERE ARE TWO OR THREE REGULAR PARKING SPACES. THESE NEW SPACES ARE MARKED AS 19, 20 AND 21. THE CHANGE TO THE PARKING LOT HAS BEEN DONE WITHOUT THE REQUIRED PERMITS AND INSPECTIONS.

Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$20 per day.

Anthony Soroka, attorney, said the property had been converted to a condo in 2004 and the developer had re-striped the spaces and sold them to unit owners. He said the board understood the seriousness of the violation and were hiring a traffic engineer to assess the situation and present options.

**Motion** made by Mr. Elfman, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 91 days, by 2/25/14 or a fine of \$25 per day would begin to accrue and to record

the order. In a roll call vote, motion failed 3-3 with Ms. Ellis, Mr. Thilborger and Chair Nelson opposed.

**Motion** made by Ms. Sheppard, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 91 days, by 2/25/14 or a fine of \$10 per day would begin to accrue and to record the order. In a roll call vote, motion failed 0-6.

**Motion** made by Ms. Sheppard, seconded by Mr. Elfman, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$25 per day would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13010761
1721 Northwest 6 Avenue
K & K ASSETS LLC

% DUMAS & MCPHAIL LLC

Certified mail sent to the owner was accepted on 11/6/13.

George Oliva, Building Inspector, testified to the following violations: FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS, INSPECTIONS AND THE CERTIFICATE OF OCCUPANCY FROM THE CITY BUILDING DEPARTMENT:

1. ILLEGAL ADDITION. THE CARPORT HAS BEEN ENCLOSED WITHOUT A PERMIT AND IS BEING USED AS A BEDROOM.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva said the case had begun pursuant to an email from the Broward County Property Appraiser's office. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$25 per day, per violation. He confirmed the property was not currently occupied. Inspector Oliva had spoken with the owner, who was undergoing cancer treatment and unable to attend the hearing.

Tracy Berkman, attorney, said she had just been retained and requested additional time.

Inspector Oliva reported there had been many complaints about this property by the neighbors and recommended no more than 63 days be given.

**Motion** made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$50 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13031575
1725 Southwest 5 Street
PEDELTY, JEFFREY J
PEDELTY, PETER

This case was first heard on 7/23/13 to comply by 9/24/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Service was via posting on the property on 11/12/13 and at City Hall on 11/14/13.

Gerry Smilen, Building Inspector, reported the demolition application had been submitted but the permit had not been issued. He added that there had been many complaints from the neighborhood regarding this property. Inspector Smilen presented photos he had received from an anonymous source showing work in progress at the property. He explained he could not access the rear of the property himself to take photos. Inspector Smilen stated the roof sag was a life safety issue and the retaining wall could cause problems in the waterway. He did not support any extension.

Peter Pedelty, owner, showed photos of the work being done to address the wall. He stated the roof had already been taken down. Mr. Pedelty said someone at the City had informed him he did not need to wait for the permit to begin the work on the retaining wall. Inspector Smilen confirmed that only a demolition permit had been submitted for the retaining wall; no application had been submitted for the repair of the retaining wall or the roof.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 11/27/13 and would continue to accrue until the violations were corrected. In a roll call vote, motion failed 2-4 with Mr. Elfman, Ms. Sheppard, Mr. Thilborger and Chair Nelson opposed.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a roll call vote, motion passed 4-2 with Ms. Sheppard and Mr. Thilborger opposed.

The Board took a brief break.

Case: CE13100827

1609 Northwest 11 Street SCOTT, DONALD H/E HYDE, MARY LEE & SCOTT, JOSEPH

Service was via posting on the property on 11/4/13 and at City Hall on 11/14/13.

George Oliva, Building Inspector, testified to the following violations: FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS AND INSPECTIONS.

1. INTERIOR RENOVATIONS IN PROGRESS.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

George Oliva, Building Inspector, testified to the following violations: FBC(2007) 105.1

Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He stated he had been unable to reinspect the property because this would require a warrant. He was unsure if the people occupying the property were the owners. Inspector Oliva recommended ordering compliance within 63 days or a fine of \$50 per day, per violation.

**Motion** made by Mr. Thilborger, seconded by Ms. Sheppard, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$100 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE11110991
2845 Southwest 4 Street
GALLINGTON, MARILYN K

Certified mail sent to the owner was accepted on 11/5/13.

Ms. Ketor read an email from the owner requesting an extension, indicating she would be out of town for the holidays.

George Oliva, Building Inspector, testified to the following violations: FBC(2007) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS, INSPECTIONS AND THE CERTIFICATE OF OCCUPANCY FROM THE CITY BUILDING DEPARTMENT.

1. NEW WINDOWS WERE INSTALLED AND THERE ARE TWO DISTINCT ADDITIONS IN THE REAR PER BCPA INSPECTOR GREG FRITZ'S E-MAIL:

WE FOUND SCREEN ENCL. REMOVED & BLOCKED UP W/CBS & WINDOWS, ADDED ANOTHER ROOM W/POWER METER INSIDE THIS NEW ROOM, CLOTHES DRYER DRAINING ON LAWN, NEW WATER HEATER, ROMEX IN LAUNDRY ROOM, NEW A/C UNIT NEW ELECT. TO BOTH ILLEGAL ADDITIONS, ASPHALTED A CIRCULAR DRIVE ON THE FRONT.- G.F.

FBC(2007) 109.10

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva said the case was begun pursuant to an email from the Broward County Property Appraiser's office. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$25 per day, per violation.

**Motion** made by Ms. Sheppard, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$50 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 5-1 with Chair Nelson opposed.

Case: CE13071932 1105 Northwest 5 Avenue JUSTIN, BRIERE

Service was via posting on the property on 11/4/13 and at City Hall on 11/14/13.

George Oliva, Building Inspector, testified to the following violations: FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS, INSPECTIONS AND THE CERTIFICATE OF OCCUPANCY FROM THE CITY BUILDING DEPARTMENT.

- 1. THIS DUPLEX HAS BEEN CONVERTED INTO A FOURPLEX.
- 2. BOTH CAR GARAGES WERE ENCLOSED AND TURNED INTO SMALL RENTAL APARTMENTS WITH BATHROOMS AND COOKING AREAS IN THEM.

FBC(2010) 111.1.1

THE USE AND THE OCCUPANCY OF THIS DWELLING HAS BEEN CHANGED FROM THE ORIGINALLY PERMITTED OCCUPANCY CLASSIFICATION OF A DUPLEX TO A FOURPLEX WITHOUT OBTAINING THE REQUIRED PERMITS AND THE CERTIFICATE OF OCCUPANCY FROM THE BUILDING DEPARTMENT.

Inspector Oliva reported the case was begun pursuant to a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$75 per day, per violation.

**Motion** made by Mr. Thilborger, seconded by Ms. Sheppard, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$75 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE12070489 836 Southwest 4 Court WALKER, MARTYN WALKER, MICHELLE

Service was via posting on the property on 11/4/13 and at City Hall on 11/14/13.

Gerry Smilen, Building Inspector, testified to the following violation: FBC(2010) 105.4.8

THE SINGLE FAMILY DWELLING HAS BEEN ALTERED WITH THE INSTALLATION OF A CANOPY AND AWNINGS WITHOUT A PERMIT.

Inspector Smilen stated the case was begun pursuant to a complaint. He said the canopy had been removed but the awnings remained. Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day.

**Motion** made by Ms. Sheppard, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$5 per day would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13020880 1121 Southwest 19 Street KARSKO, DANIEL

Service was via posting on the property on 11/4/13 and at City Hall on 11/14/13.

Gerry Smilen, Building Inspector, testified to the following violation: FBC(2010) 105.1

THE FOLLOWING WORK WAS COMPLETED WITHOUT PERMITS:

- 1. NEW WINDOW INSTALLATIONS.
- 2. A CONCRETE PATIO SLAB. (COMPLIED 9-16-13)

Inspector Smilen stated the case was begun pursuant to a complaint. He read an email from the owner describing progress he was making and requesting an extension. Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day.

**Motion** made by Mr. Thilborger, seconded by Mr. Elfman to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13061905 2918 Banyan Street DOOKIE, KAREN % PATRICK DIMARTINI

Service was via posting on the property on 11/4/13 and at City Hall on 11/14/13.

Gerry Smilen, Building Inspector, testified to the following violations: FBC(2010) 105.1

THE KITCHEN AND BATHROOMS IN THE RENTAL UNIT HAVE BEEN ALTERED WITH NEW DRYWALL AND CABINETS WITHOUT A PERMIT.

FBC(2010) 105.4.4

THE PLUMBING SYSTEM HAS BEEN ALTERED DUE TO THE KITCHEN AND BATHROOM REMODELING.

Inspector Smilen reported the case was begun pursuant to a complaint. He reported a kitchen renovation permit application had been submitted on 11/21/13. Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and stated the unit was not occupied. He recommended ordering compliance within 63 days or a fine of \$10 per day, per violation.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13071485

1820 Southwest 21 Street THR FLORIDA LP % ATLUS GROUP US INC

Certified mail sent to the owner was accepted on 11/7/13.

Gerry Smilen, Building Inspector, testified to the following violation: FBC 101.4.4.1(a)

THE SWALE ON THE WEST SIDE OF THE SINGLE FAMILY DWELLING IS ALLOWING RAIN WATER TO FLOW ACROSS TO THE ADJOINING PROPERTY.

Inspector Smilen reported the case was begun pursuant to a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day. Inspector Smilen had spoken with a tenant, but never the owner.

**Motion** made by Ms. Sheppard, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$25 per day would begin to accrue and to record the order. In a voice vote, motion failed 2-4 with Ms. Ellis, Mr. Thilborger, Mr. Elfman and Chair Nelson opposed.

**Motion** made by Chair Nelson to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$10 per day would begin to accrue and to record the order. Motion died for lack of a second.

**Motion** made by Ms. Ellis, seconded by Mr. Elfman, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$5 per day would begin to accrue and to record the order. In a roll call vote, motion passed 4-2 with Ms. Sheppard and Ms. Hinton opposed.

Case: CE13081030

2400 Northeast 22 Terrace MERS, CANDREA & JOHN

Service was via posting on the property on 11/12/13 and at City Hall on 11/14/13.

Robert Masula, Building Inspector, testified to the following violations: FBC(2010) 105.1

A NEW WHITE PVC FENCE WAS INSTALLED ON THE NORTH SIDE OF THE PROPERTY WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 105.4.18

A NEW WHITE PVC FENCE WAS INSTALLED ON THE NORTH SIDE OF THE PROPERTY WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation.

**Motion** made by Ms. Sheppard, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$5 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13081675

5990 Northeast 22 Way RINDONE, MICHAEL P & RINDONE, SLAVINA

Service was via posting on the property on 11/15/13 and at City Hall on 11/14/13.

Chair Nelson announced he had heard several complaints from neighbors regarding this property. He also disclosed that the owner had bought one of Chair Nelson's prior residences.

Robert Masula, Building Inspector, testified to the following violations: FBC(2010) 105.1

THE AIR CONDITIONING PACKAGE UNIT AT THIS PROPERTY WAS REPLACED WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 105.4.11

THE AIR CONDITIONING PACKAGE UNIT AT THIS PROPERTY WAS REPLACED WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$20 per day, per violation.

**Motion** made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$20 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13091177
3210 Northwest 63 Street
STYCZYNSKY, RANDALL W

Certified mail sent to the owner was accepted on 11/7/13.

Robert Masula, Building Inspector, testified to the following violations: FBC(2010) 105.1

- 1. REPLACING WINDOWS AND DOORS.
- 2. ALTERING OPENING FROM WINDOWS TO DOORS, WHICH INCLUDES FILLED CELLS AND ELECTRICAL WORK.
  ALL WORK DONE WITHOUT THE REQUIRED PERMITS OR INSPECTIONS.

FBC(2010) 105.4.5

ADDING ELECTRICAL WIRING, ELECTRICAL BOXES, AND FUTURE FIXTURES WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 105.4.15

REPLACING WINDOWS AND DOORS WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 1604.1

ALTERING EXTERIOR OPENINGS FOR BOTH WINDOWS AND DOORS THAT INCLUDES FILLED CELLS, BLOCK, POURED SILLS WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

Inspector Masula read an email he had received from the owner's girlfriend indicating the owner was working with an architect and requesting an extension. Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$50 per day, per violation. Inspector Masula reported he had issued a Stop Work Order on the property and it was currently occupied.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$50 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13100524

2591 Northeast 55 Court # 106 BELFIORE, DONALD J & BELFIORE, GRACEANN

Service was via posting on the property on 11/15/13 and at City Hall on 11/14/13.

Robert Masula, Building Inspector, testified to the following violations: FBC(2010) 105.1

- 1. COMPLETE KITCHEN REMODEL.
- 2. RELOCATED ELECTRICAL PANEL AND ELECTRICAL LIGHTING. (COMPLIED.)
- 3. REMOVED AND REPLACED PLUMBING FIXTURES WITHOUT THE REQUIRED PERMITS OR INSPECTIONS.

FBC(2010) 105.4.4

- 1. REMOVED AND REPLACED PLUMBING FIXTURES IN THE KITCHEN.
- 2. REMOVED VANITY IN THE BATHROOM.
  WORK IS BEING DONE WITHOUT THE REQUIRED PERMITS OR INSPECTIONS.

Complied:

FBC(2010) 105.4.5

Inspector Masula read a letter from the owner in which he indicated work had not been done in his unit except for the installation of a new kitchen sink. The owner stated he would contact Inspector Masula regarding the permit when he returned to Florida.

Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE10121519 4342 North Federal Highway GERIG GROUP LLC

Service was via posting on the property on 11/14/13 and at City Hall on 11/14/13.

Robert Masula, Building Inspector, testified to the following violation: FBC 105.1

DURING A BUSINESS TAX INSPECTION ON 12/21/10 AT THIS LOCATION I FOUND THE FOLLOWING WORK DONE WITHOUT PERMITS.

- 1. PARTITIONS TO 4' IN HEIGHT HAVE BEEN INSTALLED CREATING 3 CUBICLES.
- A SINK & ELECTRIC OUTLET HAVE BEEN INSTALLED IN EACH CUBICLE.
- 3. A CHASE WALL HAS BEEN INSTALLED ON THE NORTH TENANT SEPARATION WALL.
- 4. THE BATHROOM HAS BEEN REMODELED WITH NEW PARTITIONS, DOOR & FIXTURES.

Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$25 per day.

**Motion** made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$25 per day would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE13101473

4100 Galt Ocean Drive # 1411 FERREIRA, MARCELE LEMOS

Service was via posting on the property on 11/13/13 and at City Hall on 11/14/13.

Robert Masula, Building Inspector, testified to the following violations: FBC(2010) 105.1

INTERIOR RENOVATION THAT INCLUDES BUT IS NOT LIMITED TO:

- 1. INTERIOR WALLS ARE BEING REMOVED.
- 2. FRAMING.
- 3. ELECTRICAL.
- 4. PLUMBING.
- 5. MECHANICAL.

WORK BEING DONE WITHOUT THE REQUIRED PERMITS OR INSPECTIONS.

FBC(2010) 105.4.4

KITCHEN AND BATHROOM REMODELING:

1. REMOVAL AND REPLACEMENT OF PLUMBING FIXTURES WILL REQUIRE A PLUMBING PERMIT.

FBC(2010) 105.4.5

**ELECTRICAL:** 

- 1. INTERIOR WALLS HAVE BEEN REMOVED.
- 2. ELECTRICAL BEING RELOCATED. ELECTRICAL CONDUIT AND BOXES HANGING WITHOUT FRAMING SUPPORT. WORK BEING DONE WITHOUT THE REQUIRED PERMITS OR INSPECTIONS.

FBC(2010) 105.4.11

MECHANICAL:

1. A NEW EXHAUST FAN AND DUCT WORK WAS ADDED IN THE SECOND BATHROOM. TAPPED INTO THE EXISTING VENTILATION SYSTEM FOR THE CONDO BUILDING. WORK BEING DONE WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

Inspector Masula read an email from the owner indicating she could not attend the hearing and stating the plans would be submitted to the City. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$25 per day, per violation.

**Motion** made by Mr. Thilborger, seconded by Mr. Elfman, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 1/28/14 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: CE12050811 1308 Citrus Isle REEDER, PATRICK

This case was first heard on 9/25/12 to comply by 1/22/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported there had been no activity on a fence permit.

The Board took no action.

Case: CE12060451

1546 Southwest 24 Street ORBEGOZO, NANCY

This case was first heard on 1/22/13 to comply by 3/26/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported only the fence permit was outstanding and recommended a 63-day extension.

**Motion** made by Mr. Thilborger, seconded by Ms. Sheppard, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 5-1 with Chair Nelson opposed.

<u>Case: CE13041115</u> 201 Northeast 16 Ave HINDS, KEVIN & LAYNE, PAUL J

This case was first heard on 7/23/13 to comply by 8/27/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported the permit application had been submitted in August and notice of non-approval was sent out on September 12.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE11041855 1120 Northeast 16 Court ASHWORTH, TODD

This case was first heard on 9/24/13 to comply by 10/22/13. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, reported he needed to research the property; he could find no permit history for two kitchenettes.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 91-day extension, to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE13061765

1115 Northeast 3 Avenue PARAMOUNT LAND TR PARA, LUDOVIC TRST

This case was first heard on 9/24/13 to comply by 10/22/13. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, reported the window and door permit applications had been submitted.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE11031789

1121 North Andrews Avenue BURGHER, AUDREY

This case was first heard on 7/23/13 to comply by 8/27/13. Violations and extensions were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, reported the permit had been issued and recommended a 119-day extension.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 119-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE13030047

1600 Northwest 7 Terrace RIVIERA, LUCAS & MARY

This case was first heard on 8/27/13 to comply by 10/22/13. Violations and extensions were as noted in the agenda. The property was not complied.

Ms. Pryor read a letter from the contractor requesting additional time.

George Oliva, Building Inspector, said the owner had requested financing help from the City and recommended a 119-day extension.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 119-day extension to 3/25/14, during which time no fines would accrue. In a roll vote, motion failed 1-5 with only Ms. Hinton voting in favor.

**Motion** made by Chair Nelson, seconded by Mr. Thilborger, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE13070173
521 Long Island Avenue
FIVE TEN FLORIDA III LLC

This case was first heard on 10/22/13 to comply by 11/26/13. Violations were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, reported the owner had applied for a master permit in October. The application had failed plan review and been picked up for revisions. He recommended a 91-day extension.

**Motion** made by Ms. Sheppard, seconded by Ms. Ellis, to grant a 91-day extension, to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 5-1 with Mr. Thilborger opposed.

Case: CE12121548
2701 Middle River Drive # 9
DIAMOND, MATTHEW F &
DIAMOND, CARRIE

This case was first heard on 10/22/13 to comply by 11/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 11/15/13.

Robert Masula, Building Inspector, reported the permit had been resubmitted with corrections but had failed plan review again.

**Motion** made by Ms. Sheppard, seconded by Ms. Hinton, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE12121549

2701 Middle River Drive #17 DIAMOND, JOHN JOSEPH IV & DIAMOND, MATTHEW FRANKLIN

This case was first heard on 10/22/13 to comply by 11/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 11/15/13.

Robert Masula, Building Inspector, reported the permit had been resubmitted with corrections but had failed plan review again.

**Motion** made by Ms. Sheppard, seconded by Mr. Thilborger, to grant a 63-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE12051005

3500 North Ocean Boulevard HYH II INC

This case was first heard on 8/27/13 to comply by 11/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 11/13/13.

Robert Masula, Building Inspector, reported the permit for the fire door had failed final inspection. He had spoken with the rabbi and clarified what must be done to comply the violations.

Chair Nelson disclosed that he had attended services at this synagogue.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 91-day extension, to 2/25/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE13030913

1324 Northeast 13 Avenue REINA, MARC

This case was first heard on 8/27/13 to comply by 9/24/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was

requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Service was via posting on the property on 11/14/13 and at City Hall on 11/14/13.

Robert Masula, Building Inspector, reported there had been no progress since the last hearing.

**Motion** made by Ms. Sheppard, seconded by Ms. Ellis, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 11/27/13 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 6-0.

Case: CE12071274
2600 Northwest 20 Court
PIERCE, RICKY

This case was first heard on 3/26/13 to comply by 4/23/13. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$680 and the City was requesting imposition of a \$300 fine. Service was via posting on the property on 11/13/13 and at City Hall on 11/14/13.

George Oliva, Building Inspector, said the owner had pulled the permit and recommended imposing a \$300 fine to cover administrative costs.

**Motion** made by Ms. Ellis, seconded by Ms. Sheppard, to impose no fine. In a voice vote, motion passed 6-0.

Case: CE13011896
1021 Southwest 29 Avenue
GONZALEZ, DAISY B RELOVA

This case was first heard on 7/23/13 to comply by 11/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on November 27, 2013 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 11/13/13.

George Oliva, Building Inspector, reported the owner had made no effort to comply and recommended imposition of the fine

**Motion** made by Ms. Sheppard, seconded by Ms. Ellis, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 11/27/13 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 6-0.

#### Case: CE13041856

141 Southwest 31 Avenue ADALWIN LLC

This case was first heard on 7/23/13 to comply by 10/22/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$600 and the City was requesting the full fine be imposed. Certified mail sent to the owner was accepted on 11/15/13.

George Oliva, Building Inspector, confirmed the case was complied and recommended imposition of the fine.

**Motion** made by Ms. Ellis, seconded by Ms. Hinton, to impose no fine. In a voice vote, motion passed 6-0.

#### Approval of Meeting Minutes

**Motion** made by Ms. Ellis, seconded by Mr. Thilborger, to approve the minutes of the Board's October 2013 meeting. In a voice vote, motion passed 6-0.

**Motion** made by Ms. Ellis, seconded by Ms. Hinton to elect Mr. Elfman Chair. In a voice vote, motion passed 6-0.

**Motion** made by Ms. Ellis, seconded by Mr. Nelson to elect Mr. Thilborger Vice Chair. In a voice vote, motion passed 6-0.

## Communication to the City Commission

None

### For the Good of the City

No discussion.

#### **Cases Complied**

The below listed cases were complied. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record.

CE13071153 CE13080664 CE13090976 CE12021047 CE13020125 CE13080273 CE10071981 CE12061703 CE12111581 CE13010357 CE13060212

#### Cases Withdrawn

The below listed cases were withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record. CE13032133

There being no further business to come before the Board, the meeting adjourned at 1:13 p.m.

Chair, Code Enforcement Board

ATTEST:

Clerk, Code Enforcement Board

NOTE: The agenda associated with this meeting is incorporated into this record by reference.

Minutes prepared by: Jamie Opperlee, ProtoType Inc.